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FOR G/TIP, EAP/MLS and EAP/RSP

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SUBJECT: CAMBODIA: 3ND QUARTER REPORT ON TRAFFICKING IN PERSONS

REF: A. PHNOM PENH 01519

B. PHNOM PENH 01607

1. (U) Summary. From July through September 2006, the police arrested 24 suspects involved in human trafficking and pimping. Four foreign nationals, including an American, were arrested for sex crimes against children. Police rescued 27 victims of trafficking and sexual exploitation. Six other victims escaped from their traffickers without help from the authorities. The courts conducted hearings for at least five cases during the period, which resulted in the conviction of 17 traffickers with sentences ranging from three to 24 years. Reports of abuse of laborers migrant to Malaysia continued. End Summary.

Police Operations

2. (U) On July 3, police of Kampong Cham province and personnel from the NGO ADHOC intervened in an attempted trafficking case to rescue one victim. Police arrested two suspects who drugged and raped the victim and attempted to sell her in Poipet. The suspects were sent to court, but were reportedly released for lack of evidence.

3. (U) On July 4, the Banteay Meanchey Police, based on an ADHOC complaint, arrested an individual who lured three girls from Poipet and sold them into a brothel in Thailand. The suspect is in pretrial detention. The victims returned home in late August after receiving help from Cambodian and Thai authorities.

4. (U) On July 9, the Anti-TIP Phnom Penh Unit raided a Phnom Penh brothel and removed three voluntary sex workers. Police acted on a complaint from the NGO AFESIP, whose personnel filed a complaint, which reported the presence of underage sex workers during their investigation. During the police raid, only three adult women were found; the pimp escaped. Police arrested a man who happened to be at the scene, but later released him. Police closed down the brothel. The women returned to their community in Phnom Penh after staying at the shelter for a limited period.

5. (U) On July 11, The Anti-TIP Phnom Penh Unit arrested an individual who procured two women at a hotel for sexual services. Police referred the women to an AFESIP shelter, which they subsequently left after receiving counseling. The suspect was detained and charged with pimping.

6. (SBU) On July 18, Police of the Counterterrorism Department of the Ministry of Interior raided a brothel in Siem Reap at the direct order of the Commissioner General of the National Police, Hok Lundy. The raid resulted in the arrest of an owner of the brothel and the rescue of nine women and girls, some of whom are under 18 years of age. AFESIP reported that Hok Lundy took action immediately after having received a complaint from AFESIP of repeated failures of Anti-TIP police in Siem Reap to raid this establishment. (Note: The counterterrorism police, a well-equipped and specially trained

police unit, were deployed in the second raid of the Chai Hour II hotel. End Note.)

¶17. (SBU) On July 20, The Phnom Penh Anti-TIP Police raided another brothel, which resulted in the removal of five Vietnamese sex workers, ages 22-25. Police arrested two suspects and charged them with pimping. AFESIP later reported to the Embassy that the court may have dropped the charge against the suspects, citing lack of evidence. The women were referred to the AFESIP shelter but later decided to return to their families on their own.

¶18. (U) On July 25, Police of the Anti-Human Trafficking and Juvenile Protection Department (hereafter referred to as MOI's Anti-TIP Department) raided a Kampong Speu brothel, resulting in the arrest of two suspects, one of whom is a former military lieutenant, and the removal of 18 voluntary sex workers. The Kampong Speu court charged the suspect with pimping. AFESIP had earlier filed a complaint against this brothel in April. Police referred the women to the AFESIP shelter; most of them left the shelter shortly afterwards, only two remain.

¶19. (U) On July 27, the Sihanoukville Anti-TIP police rescued a woman who was sold into a brothel by an unknown man who promised to help her find a job. The victim did not file a complaint, as she reportedly claimed that she could not identify the perpetrator.

¶110. (U) On July 30, police of the Phnom Penh Anti-TIP Unit arrested three suspects for the attempted trafficking of three Cambodian women to Malaysia. The three women, ages 19, 20 and 23, agreed to go to Malaysia with the suspects because they promised to find them a good job. The women were turned over to the Department of Social Affairs for further referral.

¶111. (U) Police of the MOI Anti-TIP Department, in cooperation with International Justice Mission (IJM), arrested a suspect on July 31,

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for selling three underage girls for sexual exploitation. The suspect is one of five men involved in selling victims to IJM-disguised clients on July 19. IJM took the three victims to the police department after the transaction. The girls are now at an NGO-run shelter. The NGO Legal Support for Children and Women provided legal representation to the victims.

¶112. (SBU) On the same day in Sihanoukville, the Anti-TIP police arrested Amcit Terry Smith and his Cambodian girlfriend for debauchery committed on two underage girls. The Sihanoukville court detained him, but later granted him bail for medical reasons. On September 20, the immigration police rearrested Smith in Phnom Penh. He was deported to the U.S. on October 14 in the custody of U.S. Marshals. The girlfriend remains free on bail.

¶113. (U) On August 4, the Phnom Penh Anti-TIP Unit arrested three suspected human traffickers for the attempted trafficking of eight girls, ages 12-18, from Phnom Penh to Siem Reap. Police intercepted them before they departed to Siem Reap. The three suspects are under pretrial detention.

¶114. (U) On August 28, police of the Siem Reap Anti-TIP Department rescued three high school students, ages 16 to 18, who were trafficked to Siem Reap by their peers. The girls' parents complained to ADHOC and requested help. The suspects remain at large, and the girls returned to their families.

¶115. (U) On August 31, the Anti-TIP Phnom Penh Police raided a Phnom Penh brothel and took into custody ten Vietnamese voluntary sex workers. Police arrested one suspect and charged him with pimping. The women were referred to an AFESIP shelter.

¶116. (U) The Phnom Penh Anti-TIP Unit arrested a Swiss national on August 31 for sexually abusing a 13-year-old girl. Hurni Hans Ulrich was arrested in a hotel room while in the company of the victim. Police also arrested the girl's mother and accused her of selling her daughter. Ulrich confessed that he had been having a sexual relationship with the girl over the last two years and had paid between USD 5 and 10 for each encounter. The Phnom Penh court

charged the foreigner and mother on September 4 with debauchery and human trafficking, respectively.

¶17. (U) A string of operations in late August conducted by the Anti-TIP Phnom Penh Unit led to a crackdown on a possible pedophile network. Police arrested five persons suspected of involvement with the sexual exploitation of children. The suspects were charged with debauchery, and except for one who was hospitalized, they are under pretrial detention (see reftel A).

¶18. (U) On September 3, police of the Anti-TIP Pailin Unit arrested two women for trafficking a 16-year-old Vietnamese girl from Phnom Penh to a massage parlor in Pailin. Police conducted the raid based on a complaint from ADHOC. The first suspect recruited the girl from Phnom Penh, claiming that she would take the girl to work in a cafe in Thailand for 100 USD per month. The second suspect is the owner of a massage/brothel in Pailin, where the girl worked as a prostitute. The victim returned to her family.

Victims Escape Without Help

¶19. (U) On July 14, a 14-year-old girl made her way back home after being taken to the Thai border by a neighbor who raped her and attempted to sell her in Thailand. After not finding a buyer and with the girl insisting she return home, the perpetrators decided to bring the victim back. Currently, the traffickers remain at large.

¶20. (U) On July 25, a woman who was drugged, abducted and sold into a brothel in Sihanoukville managed to escape to ADHOC. She asked for help to return to her home in Prey Veng, but refused to file a complaint against her abductor. ADHOC contacted police for help to get the victim out of the brothel, but the brothel remains open. ADHOC noted that they can act only in response to a victim's complaint.

¶21. (U) A 17-year-old girl from Steung Treng province returned home on August 3, after being drugged and sold in Phnom Penh by an acquaintance. The suspects remain at large. ADHOC informed authorities of this case.

¶22. (U) On August 7, a case of labor trafficking occurred in Kratie province. A 16-year-old girl returned home after being sold into an ice shop by a neighbor. With ADHOC's help, the mother filed a complaint with police after realizing that a neighbor tricked her daughter into going with him. The suspect escaped and remains at large.

¶23. (U) On August 14, a 23-year-old woman from Takeo made her way out of a Kampot brothel to which she was sold by an acquaintance two

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days earlier. She submitted a complaint to NGOs and the police. The case is under investigation.

¶24. (SBU) On August 18, a 15-year-old victim of rape and trafficking from Svay Rieng province returned home after being sold into a brothel in Phnom Penh. The victim's parents filed a complaint to authorities against the traffickers. The local police and village chief allegedly forced the victim to accept compensation and drop her complaint as the perpetrators are allegedly connected with a district governor of Svay Rieng. The victim received compensation of almost 2 million riels (500 USD).

Court Cases

¶25. (U) On July 11, the Phnom Penh court tried a trafficking case involving seven victims trafficked to Thailand for prostitution. The presiding judge found the seven suspects guilty and sentenced them to prison terms, ranging from 12-19 years. One of the suspects was convicted on two counts, trafficking and pimping.

¶26. (U) On July 27, the Phnom Penh Municipal Court tried a trafficking case involving six human traffickers. The leader of the

trafficking ring received 24 years in prison, the highest sentence ever handed down for trafficking offenses in Cambodia. Penalties for the other five perpetrators ranged from 15 to 19 years. The court also ordered the defendants to pay civil compensation of 3,500 USD in total to nine victims, three of whom are minors, ages 14 and 15.

127. (U) On August 8, the Phnom Penh court tried a trafficking case involving two perpetrators and one victim. The judge sentenced the perpetrators to 13 and 15 years, respectively, and ordered compensation of 8 million riels (2,000 USD) to the victim. The defendants lured the then-17-year-old victim to Phnom Penh and later drugged her and forced her have sex with clients.

128. (U) On August 18, the Phnom Penh opened the trial of a trafficking case involving a 12-day-old child. The defendant is the victim's mother who sold her child in March 2006 for money. The judge acquitted the mother.

129. (U) On August 27, the Appeals Court overturned the Phnom Penh Municipal Court's verdict, reducing the sentence of a sexual abuser of a 14-year-old girl to three years imprisonment and compensation of 2 million riels (500 USD) for indecent assault. Earlier, the Phnom Penh court convicted the perpetrator of debauchery and sentenced him to 15 years and ordered compensation of 500,000 riels (125 USD).

130. (U) On September 12, the Siem Reap provincial court conducted the trial of a pimping case involving two victims. The court found the suspect guilty of committing debauchery and sentenced him to 3 years imprisonment and fined him five million riels (750 USD).

131. (U) On September 26, The Phnom Penh Municipal court tried another trafficking case, convicting a Vietnamese woman to 15 years for attempting to sell her two daughters to a club in Phnom Penh. The Anti-TIP Phnom Penh Unit arrested the woman in March when she brought her twin daughters, age 16, from Vietnam. A Police report showed that the woman had come to Cambodia before and sold her daughters' virginity to a Singaporean man for USD 1,000 each. The mother and daughters denied the charge and protested the verdict.

Other issues

132. (U) In late August, authorities of Toul Kork district launched a campaign against prostitution. They collected 47 prostitutes from nine brothels and other venues in the area and referred them to NGO shelters. Twenty-seven customers and two facilitators were arrested during the operations, but all were later released. Police claimed the raids were part of the government's agenda to eliminate prostitution. The NGO community believes that the police should have focused on arresting pimps rather than merely removing sex workers from brothels (see reftel B).

133. (U) ADHOC reported intervening in two cases of attempted trafficking to Malaysia. According to ADHOC, the two women agreed to go to Malaysia with the facilitators to get well-paid jobs. They subsequently changed their minds out of concern for labor exploitation and fear of being trafficked.

134. (U) A seven-year-old boy was sold by his father to a brick factory to repay the debt the father owed to the factory owner. The mother filed a complaint with police and ADHOC. Initially, the owner refused to return the boy unless the parents repaid the debt, but eventually gave in after NGO and police intervention.

135. (U) Reports of Cambodian migrant workers to Malaysia being

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abused and exploited continued. During the reporting period, Cambodian Women's Crisis Center reported receiving four Cambodian migrant workers who went to work in Malaysia and were put in exploitative and abusive conditions. On August 22, a 23-year-old woman who went to Malaysia alleged that the MLC Labor Supply Company forced her to work until the end of the contract, although she complained of mistreatment by her employer. Another woman

complained that the Quata Human Resources Company demanded USD 2,500 compensation from her parents after she left the home of her abusive employer. (Note: One of the two implicated companies is known to be properly licensed, i.e. having deposited the amount of money required by the Ministry of Labor to gain the rights to export labor. The status of the other is unclear. End Note.)

¶36. (SBU) Comment: There has been little change in the level of law enforcement activity and arrests between this reporting period and the second quarter. NGOs continue to complain of police failure to take action on some cases in a timely manner. The Toul Kork police's crackdown on prostitution in the district garnered public criticism and has had little impact on brothel activity in the area.

MUSSOMELI